

### **REMARKS**

This Amendment is in response to the Office Action mailed March 3, 2005. Claims 1, 2, 5, 7 and 9-17 were examined in the Office Action. Claims 1, 2, 5, 7 and 9-17 were rejected. Claims 1, 7, 9-11, 14, and 16 have been amended for clarity. No claims have been added or canceled. Applicants respectfully request reconsideration and continued examination in view of the amendments and remarks.

#### **Claim Rejections – 35 USC § 103**

Claims 1, 2, 5, 7, and 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Emery* (U.S. 6,011,975), hereinafter 'Emery'. Applicants respectfully submit that Emery does not teach or suggest each and every feature of Applicants' amended independent claims 1, 7, and 9-11.

#### **Claim 1**

Applicants' amended claim 1 is drawn to a system for including wireless units of a wireless network in a communications network so wireline units and the wireless units operating in the communications network may call each other by using wireline extensions or wireless extensions rather than by using wireline directory numbers or wireless numbers. The system comprises, among other features, (1) the communications element being operative to store the table, access the table to obtain the corresponding wireless number in response to receipt of the wireless extension in association with a call to the wireless unit, and the communications element being operative to route the call pursuant to the corresponding wireless number, and (2) the MSC of the wireless network being functionally connected to the communications element, the MSC serving at least one or more wireless units operating in the communications network, the MSC being operative to store the table, access the table to obtain, respectively, the corresponding wireless number or wireline directory number in response to receipt of the wireless extension or wireline extension in association with a particular call to the wireless unit or to a wireline unit, and the MSC being operative to route the particular call pursuant to the corresponding wireless number or the corresponding wireline number. The communications element can be a public branch exchange (PBX), at least one end office of the wireline network

serving the wireline units operating in the communications network, the MSC, and/or an intelligent peripheral (IP).

As recited above, Applicants' claim 1 contemplates the communications element being a PBX, at least one end office, an MSC, and/or an IP of which all are capable of both storing the table and routing the call. In contrast, Emery only contemplates an ISCP storing information concerning a complete destination number. Thus, the ISCP of Emery cannot route calls but can only formulate response messages and must transmit the response messages back to an SSP (See Emery Col. 24, lines 59-62, Col 25, lines 43-46). Because an ISCP cannot receive nor route calls, nowhere in the reference does Emery teach or suggest a communications element capable of storing the table, accessing the table, and routing the calls. Thus, Emery does not teach, disclose, or suggest (1) the PBX, the at least one end office, or the IP being operative to store the table, access the table to obtain the corresponding wireless number in response to receipt of the wireless extension, and route the call pursuant to the corresponding wireless number and (C) the MSC being operative to store the table, access the table, and route the particular call as recited in amended claim 1.

The Office Action acknowledges that Emery does not teach storing the table at the MSC where the communication element comprises the MSC. (See page 3 of Office Action, 2nd to last paragraph). However, the Office Action also states that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the communication element (ISCP 40 and STP 31) with the MSC in the system of Emery to improve the system connection setup time for the wireless customers if the majority of the Centrex Group are wireless." Applicants' respectfully disagree and assert that Emery teaches away from the combining modification asserted by the Office Action. The Emery reference must be considered in its entirety including disclosures that teach away from the claims. The Emery reference explicitly states that the disclosed embodiment that utilizes the ISCP 40 is a preferred embodiment and that Fig. 2 is a detailed version of the best mode for carrying out the invention. (See Emery column 9, lines 53-54 and column 11, lines 3-6). Thus, the best mode contemplated by the inventors at the time of the invention included use on the ISCP 40 for sending response messages to an SSP in order for the SSP to route the call accordingly. All embodiments use the ISCP 40 and SSP for passing response messages (See Emery Col. 12, line 50- Col. 13, line 7;

Col. 24, lines 59-62; Col 25, lines 43-46). Therefore, there is no evidence, suggestion, or motivation in Emery to modify Emery by combining the ISCP 40 and STP 31 with an MSC to improve connection setup time unless it is provided by Applicants' disclosure.

Even if Emery were to combine the ISCP 40 with an MSC, the ISCP 40 would still send a response message to an SSP. Thus, the MSC would not store and access the table and route the call as asserted in the Office Action. The ISCP 40 would store and access the table and send the response message to an SSP unless the ISCP undergoes a substantial reconstruction, redesign, and change in the basic principle under which Emery was designed to operate. Because, the proposed modification would change the principle of operation of Emery, then the teachings of Emery are not sufficient to render amended claim 1 obvious. Thus, Emery teaches away from the asserted modification and there is no reasonable expectation of success. Therefore, the Office Action does not provide prima facie case of obviousness.

The Federal Circuit requires "rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references," (See In re Dembiczak, 175 F.3d 994, 999 (Fed. Cir. 1999), given the ease of fabricating a hindsight-based obviousness analysis.). The teaching or suggestion to make the claim combination and reasonable expectations of success must be found in the prior art and not based on Applicants' disclosure. See In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). The record must include a sufficient evidentiary basis for factual findings to allow for meaningful judicial review under the substantial evidence standard. See In re Lee, 277 F.3d 1338, 1344 (Fed. Cir. 2002).

Applicants further submit that the Office Action has not satisfied MPEP §702.02(j). MPEP §702.02(j) requires that the prior art references teach or suggest all the claim limitations. The teaching or suggestion to make the claim combination and reasonable expectations of success must be found in the prior art and not based on Applicants' disclosure. See In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). Therefore, Applicants respectfully submit that amended claim 1 is not made obvious by and is thus allowable over Emery.

#### Claim 7

Applicants' claimed invention as recited in amended claim 7 is drawn to a communications element accessible for use in providing an extension service to the wireline units and the wireless units operating in the communications network. The communications

element comprises, among other features, (1) a table for use in providing the extension service to the wireline units and the wireless units where the table is stored within and calls are routed from a private branch exchange (PBX), an end office, a mobile switching center (MSC), or an intelligent peripheral (IP). As described above with respect to amended claim 1, Emery only contemplates an ISCP that stores a table and sends response messages but does not route calls. Thus, Applicants respectfully submit that Emery does not teach or suggest a table for use in providing the extension service where the table is stored within and calls are routed from a private branch exchange (PBX), an end office, a mobile switching center (MSC), or an intelligent peripheral (IP). Therefore, Applicants' amended claim 7 is also allowable over Emery.

#### Claim 9

Applicants' claimed invention as recited in amended claim 9 is drawn to a table for use in extending an extension service to qualified wireless units so that qualified wireline units and the qualified wireless units may call each other by using wireline extensions or wireless extensions rather than wireline directory numbers or wireless numbers. The table is stored within and calls are routed from an end office and/or a mobile switching center (MSC). As described above with respect to amended claims 1 and 7, Emery only contemplates an ISCP that stores a table and sends response messages but does not route calls. Thus, Applicants respectfully submit that Emery does not teach or suggest a table stored within an end office and/or a mobile switching center (MSC) from where calls are also routed. Therefore, Applicants' amended claim 9 is also allowable over Emery.

#### Claim 10

Applicants' claimed invention as recited in amended claim 10 is drawn to a method to include a wireless unit of a wireless network in a communications network so a call from a wireline unit operating in the communications network to a wireless unit operating in the communications network may be made by the wireline unit using a wireless extension of the wireless unit rather than a wireless number of the wireless unit. The method comprises, among other features, (1) causing the table to include an entry for the wireless unit, where the table is

stored within and the call is routed from a private branch exchange (PBX), an end office, a mobile switching center (MSC), and/or an intelligent peripheral (IP) and (2) routing the call from where the table is stored pursuant to the corresponding wireless number. As described above with respect to amended claims 1, 7, and 9, Emery only contemplates an ISCP that stores a table and sends response messages but does not route calls. Thus, Applicants respectfully submit that Emery does not teach or suggest a table is stored within a PBX, an end office, a MSC, and/or an IP and (2) routing the call from where the table is stored. Therefore, Applicants' amended claim 10 is also allowable over Emery.

#### Claim 11

Applicants' claimed invention as recited in amended claim 11 is drawn to a method to provide a wireless unit with extension service whereby the wireless unit may call the wireline unit by using an extension for the wireline unit rather than a directory number for the wireline unit. The method comprises, among other features, (1) routing the call from where the table is stored to the corresponding wireline directory number, where the table is stored within and the call is routed from at least one of a private branch exchange (PBX), an end office, a mobile switching center (MSC), and/or an intelligent peripheral (IP). As described above with respect to amended claims 1, 7, 9, and 10, Emery only contemplates an ISCP that stores a table and sends response messages but does not route calls. Thus, Applicants respectfully submit that Emery does not teach or suggest routing the call from where the table is stored to the corresponding wireline directory number, where the table is stored within and the call is routed from at least one of a private branch exchange (PBX), an end office, a mobile switching center (MSC), and/or an intelligent peripheral (IP). Therefore, Applicants' amended claim 11 is also allowable over Emery.

#### Dependent Claims

At least because claims 2, 5, and 13-16, claim 17, and claim 12 inherit the language of amended claims 1, 10, and 11 respectively, claims 2, 5, and 12-17 are also allowable over Emery.

Claims 13 and 15

With regard to claims 13 and 15, the Office Action acknowledges that Emery does not teach storing the table in a distributed scheme. However, the Office Action does assert that “it would have been obvious to one of ordinary skill in the art at the time of the invention to store the table in a distributed scheme at each end office, PBX, and MSC in the system of Emery to improve the system connection setup time for all customers and the system reliability.” Applicants respectfully disagree and assert that as described above with respect to amended claim 1 and others, that the best mode contemplated by the inventors at the time of the invention included use on the ISCP 40 for sending response messages to an SSP in order for the SSP to route the call accordingly. All embodiments of Emery use the ISCP 40 and SSP for passing response messages (See Emery Col. 12, line 50- Col. 13, line 7; Col. 24, lines 59-62; Col 25, lines 43-46).. Therefore, there is no evidence, suggestion, or motivation in Emery to modify Emery by storing the table in a distributed scheme at each end office, PBX, and MSC in the system of Emery to improve connection setup time unless it is provided by personal knowledge of the Examiner or the Applicants’ disclosure. Thus, claims 13 and 15 are allowable over Emery for at least this reason also.

Additionally, 37 CFR 1.104(d)(2) requires that when a rejection is based on facts within the personal knowledge of the Examiner, the data should be stated as specifically as possible, and the facts must be supported, when called for by the Applicants, by an affidavit from the Examiner. If Applicants’ foregoing arguments do not persuade the Examiner to withdraw the obviousness rejections to claims 1, 2, 5, 7, and 9-17, Applicants request such an affidavit from the Examiner.

**CONCLUSION**

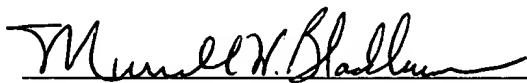
In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the

prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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